

U.S. Patent Application Serial No. 10/699,836
Amendment filed December 29, 2006
Reply to OA dated October 6, 2006

REMARKS

Claims 1 - 8 are currently pending in this patent application.

Claims 7 and 8 have been added in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated October 6, 2006.

The Examiner has required a new, more descriptive title. Accordingly, the applicants have amended the title of the invention to one that is more descriptive of the applicants' invention. The applicants respectfully request that the amended title of the invention be approved by the Examiner.

As to the merits of this case, the following rejections are set forth in the outstanding Office Action:

- (1) claims 1 - 5 are rejected under 35 U.S.C. §102(b) as being anticipated by Arai (U.S. Patent No. 6,021,108); and
- (2) claims 5 and 6 are rejected under 35 U.S.C. §103(a) based on Arai.

The applicants respectfully request reconsideration of these rejections.

The applicants submit that their claimed actuator is for use in a pickup device, which moves a lens holder holding an outer peripheral portion of an objective lens. In the applicants' claimed invention, an adhesive layer is formed between the outer peripheral portion of the objective lens and the lens holder, the adhesive layer having a thickness dimension which is sufficient enough to absorb deformation of the lens holder when the lens holder is deformed due to resonance (see, e.g., claim 1).

Alternatively, an actuator for a pickup device according to currently claimed invention includes: a lens holder having a mounting hole for holding an objective lens; an electromagnetic drive for moving the lens holder; a ring-shaped recess provided on an outer periphery of the mounting hole; a projection provided on the recess to be in contact with an outer periphery of the objective lens; and an adhesive layer formed between the outer peripheral portion of the objective lens and the lens holder (see, e.g., claim 7).

Accordingly, with the applicants' claimed invention, lens aberration due to resonance of a lens holder in accordance with the operation of the actuator can be effectively restricted.

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Arai, on the other hand, is concerned with an optical pickup device capable of high-speed access to an optical disc by reducing the weight of movable portion (see, e.g., Arai's Abstract). Also, Arai is silent on teachings for avoiding the effect of resonance by holding the objective lens on the lens holder via an adhesive layer having sufficient thickness, as in the applicants' instant claimed invention.

More particularly, the adhesive layer 99 in Arai, as cited by the Examiner, is only for adhering flexible interconnection (wiring) film 98 on a resilient member 91 (which corresponds to suspension wire 3 of the applicants' present invention); see, Arai's Figures 13 and 14, and lines 44 *et seq.*, column 18. In any event, Arai's adhesive layer is not interposed between the objective lens 81 and the lens holder 90.

In view of the above, not all of the claimed elements or features of the applicants' claimed actuator, as now recited in the claims filed herewith, are found in exactly the same situation and united in the same way to perform the identical function in Arai's device. Thus, there can be no anticipation of the applicants' claimed invention under 35 U.S.C. §102(b) based on the teachings of Arai.

Accordingly, the withdrawal of the outstanding anticipation rejection under 35 U.S.C. §102(b) based on Arai (U.S. Patent No. 6,021,108) is in order, and is therefore respectfully solicited.

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Also for the reasons discussed above, the applicants' claimed invention, as now set forth in the claims filed herewith, would not have been obvious to a person of ordinary skill in the art under 35 U.S.C. §103(a) based on the teachings of Arai.

Accordingly, the withdrawal of the outstanding obviousness rejection under 35 U.S.C. §103(a) based on Arai is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

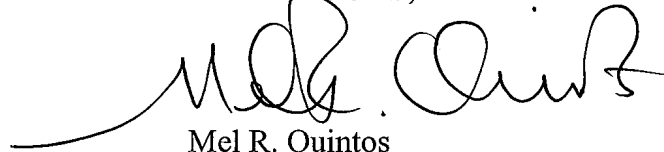
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Mel R. Quintos', is written over the printed name.

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